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Paper No. 9

Warren S. Heit  
White & Case LLP  
Attn: Patent Department  
1155 Avenue of the Americas  
New York, NY 10036

In re Application of: Chong-Seng Cheng )  
Application No. 09/803,173 )  
Filed: March 9, 2001 )  
For: PORTABLE DATA STORAGE )  
DEVICE CAPABLE OF BEING )  
DIRECTLY CONNECTED VIA USB )  
PLUG TO A COMPUTER )

DECISION ON PETITION  
UNDER M.P.E.P. §708.02(II):  
INFRINGEMENT

This is a decision on the petition, filed April 16, 2001 under 37 C.F.R. §1.102(d) and M.P.E.P. §708.02(II): Infringement, to make the above-identified application special.

A grantable petition under 37 C.F.R. §1.102(d), and M.P.E.P. §708.02, Section II, must be accompanied by payment of the fee under 37 C.F.R. §1.117(I) and a statement under 37 C.F.R. §1.102 by the applicant or assignee or statements by an attorney/agent registered to practice before the Patent and Trademark Office that (A) there is an infringing device or product actually on the market or method in use; (B) a rigid comparison of the alleged infringing device, product, or method with the claims of the application has been made, and that, in his or her opinion, some of the claims are unquestionably infringed: and (C) he or she has made or caused to be made a careful and thorough search of the prior art or has a good knowledge of the prior art.

Applicant's submission meets all the criteria set out above, accordingly, the Petition is GRANTED.

The application file is being forwarded to the Examiner of Record for expedited examination.

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